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TO: USPTO

ATTN: Examiner Irvin Dingle; Office of Petitions

RE: Serial No.: 09/606,555 ; Our Ref: SEC

DATE: 9/21/04 TIME: 11⁰⁵

FAX: 703-872-9306

Number of Pages to Follow: 4
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Peter H. Seckel

Atty. Docket: SEC

Serial No: 09/606,555

Group Art Unit: 1772

Filed: 6/29/2000

Examiner: Donald J. Loney

Title: DOMED PACKING MATERIAL

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attn.: Examiner Irvin Dingle, Office of Petitions
Facsimile No. 703-872-9306

Dear Sir/Madam:

RENEWED PETITION TO REVIVE UNDER 37 C.F.R. 1.137b)

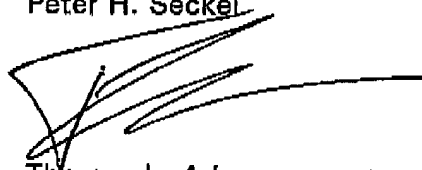
The Decision mailed September 3, 2004 accompanying this Renewed Petition essentially required a revised statement regarding the unintentional delay. The following complies with that requirement.

The undersigned represents the applicant in the above captioned matter. When the Notice of Allowance came to the undersigned's office, the client came by to pick it up. Consequently, this Notice was handled out of the normal stream of paper and the deadline was not entered into the docketing system. When the undersigned noticed the passage of the deadline, a Petition was promptly prepared and submitted July 13, 2004. Thus, the issue fee was not paid by the deadline inadvertently. Therefore, the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional.

I previously submitted a credit card form in the amount of \$1,339.00 (\$665.00 for issue fee, \$665.00 for the petition fee and \$9.00 as an advance order of copies of patents.)

I hereby declare that all statements made herein on information and are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the U.S. Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.


Respectfully submitted,
Peter H. Seckel



Thomas L. Adams
Registration No. 27,300
973-463-0100

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on this 21st day September, 2004



Thomas L. Adams
Registration No. 27,300



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OFFICE OF PETITIONS

In re Application of
Peter H. Seckel
Application No. 09/606,555
Filed: June 29, 2000
Attorney Docket No. 7954/1

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed July 13, 2004, to revive the above-identified application.

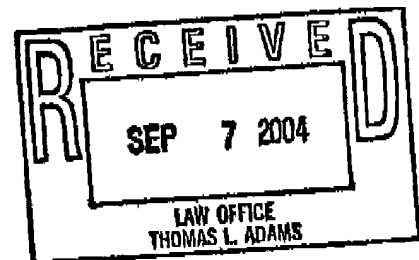
The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "**Renewed Petition under 37 CFR 1.137(b)**." This is **not** final agency action within the meaning of 5 U.S.C. § 704.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) **a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional**; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(c). Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Commissioner may require additional information. See MPEP 711.03(c)(III)(C) and (D). The instant petition lack item (3).

Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITION
Commissioner for Patents
Post Office Box 1450
Alexandria, VA 22313-1450



Application No. 09/606,555

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By hand: U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

By facsimile: (703) 872-9306
ATTN: Office of Petitions

Telephone inquiries concerning this decision should be directed to the undersigned at
(703) 306-5684.¹


Irvin Dingle

Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

¹ Effective September 27, 2004, the phone number will be 571-272-3210.

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